

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

UNITED STATES OF AMERICA

Plaintiff,

vs.

GOVERNMENT OF GUAM,

Defendant.

Civil Case No. 02-00022

**ORDER RE: QUARTERLY STATUS
HEARING**

The court is in receipt of the Special Report Regarding Approval of the Solid Waste Facility Permit and the Air Pollution Control Permit by the Guam Environmental Protection Agency, filed by the Receiver, Gershman, Brickner & Bratton, Inc. (“GBB”) on November 24, 2009. *See* Docket No. 524. The issuance of these permits to construct the Layon landfill is a significant milestone for the opening of the Layon landfill and the closure of the Ordot Dump. There are only **610** airspace days remaining at the Ordot Dump, and this court expects both parties, as well as TG Engineers, P.C., Maeda Pacific Construction, Core Tech International, and Black Construction Corporation, to strictly adhere to the Consent Decree Project Schedule which was adopted by this court on October 22, 2008. *See* Docket Nos. 272 and 269 at Tab 4.

The next quarterly status hearing is scheduled for January 20, 2010 at 9:00 a.m. At that time, GBB will present its quarterly report in accordance with the court’s appointment order. *See* Docket No. 239. In addition, the following individuals are ordered to be in attendance to present their respective reports concerning the progress of various Consent Decree projects:

///

1 • Lorilee Crisostomo, Administrator of the Guam Environmental Protection
2 Agency;
3 • Joaquin Blaz, Acting Highway Administrator of the Department of Public
4 Works and Gene Niemasz of Parsons Transportation Group, to discuss the status of bridges,
5 road widening and snail mitigation;
6 • Tom Nielsen, President of Maeda Pacific Construction,
7 • Tor Gudmundsen, President of TG Engineers, P.C.;
8 • Ho Eun, President of Core Tech International; and
9 • Thomas Anderson, Executive Vice President of Black Construction
10 Corporation.

11 The court reiterates its previous order requiring the Governor of Guam, and the Speaker
12 of the Legislature, to be in attendance for the hearing. Again, however, if the Governor is
13 unable to attend, he may designate the Lieutenant Governor to attend. If the Speaker is unable
14 to attend, she may designate the Vice Speaker to attend.

15 In addition, the court hereby schedules a site visit to Layon on January 22, 2010 at 8:30
16 a.m. All the individuals mentioned above are required to attend and the court encourages the
17 members of the 30th Guam Legislature to attend as well.

18 **SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: Nov 25, 2009